

EXHIBIT A

THE EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
VIRGIN ISLANDS
COMMERCIAL DIVISION

Claim No: BVIHC (COM) 3/2010

Between

Fairfield Sentry Limited (in Liquidation)

Claimant

and

Bank Julius Baer & Co Ltd

First Defendant

and

Vontobel Asset Management Inc

Second Defendant

and

Citco Global Custody NV

Third Defendant

and

SNS Global Custody BV

Fourth Defendant

and

EFG Bank

Fifth Defendant

and

Kredietbank SA Luxembourg

Sixth Defendant

and

Credit Suisse London Nominees Ltd

Seventh Defendant

and

HSBC Private Bank (Suisse) SA

Eighth Defendant

and

Wolnoms Limited

Ninth Defendant



F/S Fortis Banque Luxembourg

Twenty Ninth Defendant

and

SG Private Banking (Suisse) SA

Thirtieth Defendant

and

Bankmed (Suisse) SA

Thirty First Defendant

and

Banque Commerce et de Placements SA

Thirty Second Defendant

and

Barclays Bank (Suisse) SA

Thirty Third Defendant

and

UBS (Luxembourg) SA

Thirty-Fourth Defendant

and

UBS (Luxembourg) SA

Thirty Fourth Defendant

STATEMENT OF CLAIM

1. The Claimant is a limited company originally incorporated in the British Virgin Islands in 1990 under the terms of the International Business Companies Act, 1984.
2. The Claimant was placed into liquidation on 21 July 2009.
3. At all material times the Claimant operated as an investment fund and was recognised and regulated by the BVI Financial Services Commission as a professional fund under the terms of the Mutual Funds Act, 1996.
4. 95% of the Claimant's funds were invested with Bernard L. Madoff Investment Securities LLC ("BLMIS").
5. The Defendants acquired shares in the Claimant by way of an investment.
6. During or around March 2004, the Defendants applied to redeem shares in the Claimant in accordance with the provisions of the Claimant's Articles of Association (the "Articles").
7. The Articles provided that the price at which shares in the Claimant were to be redeemed by investors should be calculated with reference to the Net Asset Value ("NAV") of the Claimant.
8. The total NAV of the redemptions sought by the Defendants was calculated at various times during March 2004 and the aggregate amount determined to be payable to the Defendants upon the redemption of their shares was US\$135,405,694.70 (the "Aggregate Redemption Sum").
9. The NAV was calculated under a mistake of fact as, unbeknown to the Claimant, BLMIS was in fact operating a ponzi scheme and its investments in BLMIS were therefore lost from the date of the Claimant's investment.
10. In the premises, the NAV of the Claimant at all times was nil or a nominal value and the Aggregate Redemption Sum should, accordingly have been nil or, in the alternative, a nominal sum.
11. In the circumstances, the Defendants have been unjustly enriched at the expense of the Claimant and the Defendants are liable to make restitution to the Claimant

in the aggregate sum of US\$135,405,694.70; or in the alternative the difference between that sum and the said nominal amount.

12. Further or alternatively, the Claimant is entitled to set aside the redemption of the Defendants' shares on the grounds that the payment of the Aggregate Redemption sum was effected under a mutual mistake.
13. Further, the Claimant is entitled to interest in an amount to be assessed by the Court.

AND the Claimant Claims:

- (1) US\$135,405,694.70, alternatively such sum as the Court thinks fit;
- (2) interest on the said sum to be assessed;
- (3) further or other relief; and
- (4) costs.

Dated this 12th day of March 2010


Robert Nader
FORBES HARE
Legal Practitioners for the Claimant

CERTIFICATE OF TRUTH

I certify that I believe that the facts stated in this Statement of Claim are true.


Christopher Stride, Liquidator of Fairfield Sentry Limited
12 March 2010

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Third Defendant

and

SNS Global Custody BV

Fourth Defendant

and

EFG Bank

Fifth Defendant

(Continued Overleaf)

STATEMENT OF CLAIM

Forbes Hare
P.O. Box 4649
Road Town
Tortola
British Virgin Islands
Tel: (284) 494 1890
Fax: (284) 494 1316

Kredietbank SA Luxembourg

Sixth Defendant

and

Credit Suisse London Nominees Ltd

Seventh Defendant

and

HSBC Private Bank (Suisse) SA

Eighth Defendant

and

Wolnoms Limited

Ninth Defendant

and

Lloyds TSB Bank

Tenth Defendant

and

Martello Nominees Limited

Eleventh Defendant

and

Bank of Nova Scotia Trust (Bahamas) Ltd

Twelfth Defendant

and

Banco Atlantico Bank & Trust Limited (Bahamas)

Thirteenth Defendant

and

Leading Edge International Group

Fourteenth Defendant

and

Citco Global Custody (NA) NV

Fifteenth Defendant

and

Seabridge Advisors Ltd

Sixteenth Defendant

and

Robinson & Co

Seventeenth Defendant

PRS International (Cayman) Ltd Eighteenth Defendant
and

Atlantic Security Bank Nineteenth Defendant
and

Fortis (Isle of Man) Nominees Limited Twentieth Defendant
and

Credito Privato Commerciale SA Twenty First Defendant
and

UKFP (Asia) Nominees Ltd Twenty Second Defendant
and

EFG Bank European Financial GR Switzerland Twenty Third Defendant
and

Royal Bank of Canada Twenty Fourth Defendant
and

Buckmore Nominees Limited Twenty Fifth Defendant
and

UBS (Cayman) Limited Twenty Sixth Defendant
and

Pictet & Cie Twenty Seventh Defendant
and

Delta National Bank and Trust Company Twenty Eighth Defendant
and

F/S Fortis Banque Luxembourg

Twenty Ninth Defendant

and

SG Private Banking (Suisse) SA

Thirtieth Defendant

and

Bankmed (Suisse) SA

Thirty First Defendant

and

Banque Commerce et de Placements SA

Thirty Second Defendant

and

Barclays Bank (Suisse) SA

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